

THE FOLLOWING GREENWOOD COMMON COUNCIL ORDINANCE WILL BE INTRODUCED AT THE SEPTEMBER 6, 2006, MEETING, WITH FIRST READING AT THE NOVEMBER 6, 2006, MEETING, AND SECOND READING AT THE DECEMBER 18, 2006, MEETING. **PLEASE NOTE THIS ORDINANCE IS SUBJECT TO AMENDMENTS BY THE COMMON COUNCIL.** IF YOU WISH TO SEE THE ADOPTED ORDINANCE PLEASE CONTACT THE CLERK-TREASURER OFFICE AT (317) 888-2100 OR VIA E-MAIL AT CLERK@GREENWOOD.IN.GOV FOR AN EXECUTED COPY AFTER THE SECOND READING.

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 06-34

AN ORDINANCE ANNEXING CERTAIN TERRITORY WITHIN THE AREA OF EXTENDED JURISDICTION OF THE CITY OF GREENWOOD, INDIANA, PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF AND MAKING THE SAME A PART OF THE CITY OF GREENWOOD AND REDEFINING THE CORPORATE BOUNDARIES OF THE CITY OF GREENWOOD, INDIANA, APPROXIMATELY 41 ACRES LOCATED SOUTH OF WORTHSVILLE ROAD AND EAST OF CONRAIL RAILROAD TRACKS (commonly known as the Wilcox and Worthsville Road, LLC Property)

WHEREAS, the Greenwood Plan Commission conducted a public hearing on the voluntary petition for annexation of approximately 41 acres South of Worthsville Road and East of Conrail Railroad Tracks; and

WHEREAS, the Greenwood Plan Commission has given a **favorable recommendation** (9 – 0) regarding said annexation petition; and

WHEREAS, in connection with I.C. 36-4-3-3.1, I.C. 36-4-3-13 and Greenwood Common Council Resolution No. 86-2, as amended, a written fiscal plan has been prepared by the City's Director of Planning, Zoning, Research and Development for said annexation; and

WHEREAS, this parcel is located in the Greenwood Plan Commission's area of extended jurisdiction and the petitioner is requesting the zoning to remain the same as the current I-2 – Industrial Heavy use; and

WHEREAS, the area to be voluntarily annexed into the City includes a portion of or is contiguous to certain portions of the roadway(s) known as Worthsville Road; and

WHEREAS, the Greenwood Common Council conducted a public hearing concerning the passage of this annexation ordinance prior to its adoption,

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, THAT:

Section 1. In accordance with IC 36-4-3-1 et seq. which authorizes the Common Council to declare and define the corporate boundaries of the City of Greenwood, Indiana, said corporate boundaries are hereby extended so as to include the following property commonly known as the Wilcox and Worthsville Road, LLC property, Greenwood, Indiana, and generally located on the south side of Worthsville Road and east of Conrail Railroad tracks, which falls within the

following described boundaries, and the real estate located within said boundaries is hereby annexed to and made a part of said City:

PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 13 NORTH, RANGE 4 EAST, OF THE SECOND PRINCIPAL MERIDIAN, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID HALF QUARTER SECTION, THENCE ALONG THE EAST LINE THEREOF NORTH 00 DEGREES 09 MINUTES 11 SECONDS EAST 491.48 FEET TO THE POINT OF BEGINNING OF THE DESCRIBED TRACT; THENCE NORTH 63 DEGREES 34 MINUTES 00 SECONDS WEST 490.62 FEET; THENCE NORTH 82 DEGREES 50 MINUTES 45 SECONDS WEST 239.02 FEET TO THE EASTERLY RIGHT-OF-WAY OF THE LOUISVILLE INDIANA RAILROAD; THENCE ALONG SAID RIGHT-OF-WAY NORTH 16 DEGREES 13 MINUTES 57 SECONDS WEST 2015.04 FEET; THENCE NORTH 88 DEGREES 19 MINUTES 44 SECONDS EAST 829.95 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 50 SECONDS WEST 368.83 FEET; THENCE NORTH 88 DEGREES 35 MINUTES 56 SECONDS EAST 415.97 FEET TO THE EAST LINE OF SAID HALF QUARTER SECTION; THENCE ALONG THE EAST LINE THEREOF SOUTH 00 DEGREES 09 MINUTES 11 SECONDS WEST 1848.44 FEET TO THE POINT OF BEGINNING CONTAINING 41.172 ACRES, MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS.

Section 2. The territory annexed by this Ordinance is hereby assigned to the Greenwood Common Council District Three (3).

Section 3. The official zoning map referred to in the Greenwood Zoning Ordinance No. 82-1, as amended, shall reflect and the Greenwood Common Council states that upon the effective date of this annexation ordinance, the property within the above described annexation remains zoned I-2 Industrial – Heavy use.

Section 4. Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be unconstitutional or invalid.

Section 5. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Passed by the Common Council of the City of Greenwood, Indiana, this ____ day of _____, 20__.

Ron Bates, President
Greenwood Common Council

FOR:

AGAINST:

_____	_____
_____	_____
_____	_____
_____	_____

ATTEST:

Jeannine Myers, Clerk-Treasurer

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the ____ day of _____, 20__, is presented by me this ____ day of _____, 20__, at _____ O’Clock __.M., to the Mayor of the City of Greenwood, Indiana.

Jeannine Myers, Clerk-Treasurer

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the ____ day of _____, 20__, is signed and approved by me this ____ day of _____, 20__, at _____ O’Clock __.M.

CHARLES E. HENDERSON, Mayor of
the City of Greenwood, Indiana